

**DETERMINATION AND FINDINGS
FOR A
SOLE SOURCE PROCUREMENT**

CONTRACT NO: DCKA-2017-S-0092

CAPTION: Connecticut Ave from Dupont Circle to California St NW
Streetscape

PROPOSED CONTRACTOR: Rummel, Klepper & Kahl, LLP (RK&K)

PROGRAM AGENCY: District Department of Transportation (DDOT)

AUTHORITY

D.C. Code § 2-354.04, 27 DCMR 1304, 1700 and 1701

FINDINGS

1. MINIMUM NEED:

The Government of the District of Columbia, Department of Transportation (“District”) has an immediate need for the Proposed Contractor to complete the design for the above-captioned project. The project is a federal-aid highway project funded in part by the U.S. Department of Transportation, Federal Highway Administration, under Title 23 of the U.S. Code. The proposed period of performance is Date of Award through four hundred fifty six (456) days.

2. ESTIMATED FAIR AND REASONABLE PRICE:

The estimated fair and reasonable price is \$1,651,930.41.

3. FACTS JUSTIFYING SOLE SOURCE PROCUREMENT:

(a) The Contractor commenced design services for the above-referenced project on September 15, 2017 as the result of a Task Order awarded from the Contractor’s Architectural and Engineering Services (“A/E”) contract. The Request for Task Order Proposal (RFTOP) required Offerors to submit qualifications covering two phases of the design process for this project: Phase I: Preliminary Engineering Design; and Phase II: Final Design and preparation of a Plans, Specifications and Estimate (PS&E) package.

(b) The Contractor successfully completed Phase I design services by September 14, 2018. The District recently selected a proposed design alternative. Between the time that the Contractor completed Phase I and the District selected its design alternative, the District

engaged in the periodic refresh of the entire A/E Schedule as required by the Brooks Act. Had the refresh of the A/E Schedule not occurred between the completion of Phase I and the commencement of Phase II, the District would have issued a Task Order for Phase II as contemplated by the original RFTOP, and upon the completion of Phase I, a Task Order for Phase II.

(c) The Contractor is the only one capable of modifying its own proposed design alternative accepted by the District, so that it can complete Phases II of the project, proceeding to final design and related tasks of the design development process.

(d) For the above-stated reasons, the District did not conduct a market survey.

CERTIFICATION BY CHIEF ENGINEER

I hereby certify that the above findings are correct and complete to the best of my knowledge and belief.

Date

Dawit Muluneh, P.E.
Chief Engineer, DDOT

CERTIFICATION BY AGENCY HEAD

I hereby certify that the above findings are true, correct and complete to the best of my knowledge and belief.

Date

Jeffrey M. Marootian
Director, DDOT

CERTIFICATION BY CONTRACT SPECIALIST

I hereby certify that the above findings are correct and complete to the best of my knowledge and belief.

Date

Jeralyn Johnson
Contract Specialist
Office of Contracting & Procurement (OCP)

**CERTIFICATION BY CONTRACTING OFFICER
AND RECOMMENDATION**

I have reviewed the above findings and certify that they are sufficient to justify the use of the sole source method of procurement under the cited authority. I certify that the notice of intent to award a sole source contract was published in accordance with Section 404(c) of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Official Code § 2-354.04) and that no response was received. I recommend that the Chief Procurement Officer approve the use of the sole source procurement method for this proposed contract.

Date

William E. Sharp.
Chief Contracting Officer, OCP

DETERMINATION

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under either Section 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code §§ 2-354.02 or 2-354.03). Accordingly, I determine that the District is justified in using the sole source method of procurement.

Date

George A. Schutter, III
Chief Procurement Officer